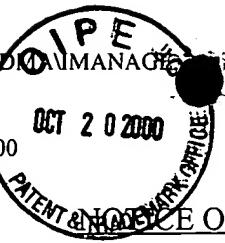


DEB:AJC:jcc
October 18, 2000

OCT 20 2000

AP
1631

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

RECEIVED

OCT 24 2000

TECH CENTER 1600

Applicant(s): Walter Henry Günzburg and Robert Michael Saller

Serial No.: 08/808,827

Group Art Unit: 1631

Filed: February 28, 1997

Examiner: J. Brusca

For: Non Self-Inactivating, Expression Targeted Retroviral Vectors

#25
Plunkett
#1110W

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

on 10/18/00

Date

Jenine Crump

Signature

Jenine Crump

Typed or printed name of person signing certificate

Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

10/23/2000 AGOITOM 00000045 08808827
890.00 OP
01 FC:117
02 FC:119
310.00 OP

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated April 18, 2000 of the Primary Examiner finally rejecting claims 1, 5, 7, 9-26, 28, 29, 31 and 32. The item(s) checked below are appropriate:

1. Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated April 18, 2000 for three month(s) from July 18, 2000 to October 18, 2000.
2. A [] month extension of time to respond to the Office Action Made Final dated [] was filed on [] with payment of a \$[] fee.
[] Applicant hereby petitions for an additional [] month extension of time to respond to the Office Action Made Final.
3. An Oral Hearing before the Board of Appeals is respectfully requested.

4. Fees are submitted for the following:

[X] Extension of Time for three month(s)	\$ <u>890</u>
[] Additional Extension of Time:	
Fee for Extension ([] mo.)	\$ _____
Less fee paid ([] mo.)	- \$ _____
Balance of fee due	\$ <u>0</u>
[] Oral Hearing	\$ _____
[X] Notice of Appeal	\$ <u>310</u>
[] Other _____	\$ _____
	TOTAL \$ <u>1200</u>

5. The method of payment for the total fees is as follows:

- [X] A check in the amount of \$1,200.00 is enclosed.
- [] Please charge Deposit Account No. 08-0380 in the amount of \$[].

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH, REYNOLDS, P.C.

By Anne J. Collins
Anne J. Collins
Registration No.: 40,564
Tel.: (781) 861-6240
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: October 16, 2000